

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 NSAE-00 NSCE-00 SSO-00
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FM AMEMBASSY MADRID
TO SECSTATE WASHDC IMMEDIATE 8936
INFO AMEMBASSY BONN
AMEMBASSY BRUSSELS
AMEMBASSY COPENHAGEN
AMEMBASSY THE HAGUE
AMEMBASSY LISBON
AMEMBASSY LONDON
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USMISSION NATO
USEC BRUSSELS

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E.O.11652: N/A
TAGS: PINT, SP
SUBJECT: PARTIES ON THE WAY TO LEGALIZATION ABOLITION OF THE
"WINDOW"

REF: MADRID 977,1026

1. AS ANTICIPATED BY REFELS, THE COUNCIL OF MINISTERS
LAST NIGHT PROPOSED A DECREE LAW WHICH WOULD ABOLISH
THE CONTROVERSIAL POLITICAL PARTY REGISTRATION PROCESS
(" VENTANILLA" OR WINDOW) ESTABLISHED BY THE OLD ARIAS
GOVERNMENT AND REPLACE IT WITH A PURELY ADMINISTRATIVE
JUDICIAIL PROCEEDING. IN A FORMALITY THE KING MUST NOW
APPROVE THE LAW.

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2. THE OFFICIAL NOTICE SAID THE DECREE LAW WAS PROPOSED
"IN ORDER TO STRENGTHEN JUDICAL GUARANTEES IN THE
EXERCISE OF THE RIGHT OF POLITICAL ASSOCIATION".
THE PRESS, NOT WITHOUT SOME SIGN OF CAUTION, HAS
TAKEN THE MEASURES TO MEAN THE END OF THE "VENTANILLA"
I.E. FORMAL AND SPECIFIC GOVERNMENT APPROVAL OF

POLITICAL PARTIES' REQUESTS FOR REGISTRATION.

3. "IN ESSENCE", CONTUINED THE OFFICIAL NOTICE. THE NEW LAW MEANS LEAVING WITHOUT EFFECT THE CURRENT GOVERNMENTAL POWERS TO DENY THE REGISTRATION OF POLITICAL ASSOCIATIONS AND TO IMPOSE FINANCIAL SANCTIONS ON THEM. SUCH POWERS WILL IN THE FUTURE BELONG TO THE COMPETENT PART OF THE SUPREME COURT. WITH REGARD TO THE REGISTRATION OF POLITICAL ASSOCIATIONS, A SUMMARY PROCEDURE IS ESTABLISHED WHEREBY, WITHIN A TIME LIMIT OF TEN DAYS. EITHER THE REGISTRATION IS CARRIED OUT OR THE DOCUMENTATION IS REFERRED TO THE SUPREME COURT".

4. FURTHER DETAILS OF THE PROCEDURE ARE NOT YET AVAILABLE I.E. EARLY REPORTS INDICATE NO TIME LIMITS FOR THE JUDICIAL REVIEW PROCESS, THOUGH THERE IS A RUMOR THAT A 30 DAY TIME LIMIT MIGHT BE SET. WHICH WOULD MEAN IF IT OCCURED THAT JUDICIAL REVIEW WOULD HAVE TO TAKE PLACE IN TIME FOR THE OFFICIAL ELECTORAL CAMPAIGN.

5. COMMENT: THIS SWITCH FROM "HARD WINDOW" TO SOFT WINDOW" IS RIGHTLY VIEWED ACROSS THE POLITICAL SPECTRUM AS A POSITIVE ACT AND SHOULD OPEN THE DOOR TO THE RAPID LEGALIZATION OF ALL MAJOR PARTIES WITH THE LIKELY EXCEPTION OF THE PCE WHICH MAY FIND ITSELF MIRED IN A LENGTHY JUDICIAL PROCEEDING. THE PRESS HAS GIVEN THE PROPOSED DECREE LAW FAVORABLE COVERAGE THOUGH RESERVING A TOUCH OF DOUBT UNTIL THE DETAILS LIMITED OFFICIAL USE

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ARE KNOWN. ACCORDING TO MADRID'S "EL PAIS" PCE LEADER SIMON SANCHEZ MONTERO LAST NIGHT CHARACHERIZED THE GOVERNMENT'S ACTION AS "VERY POSITIVE". UNLESS THERE ARE SOME HITCHES WE EXPECT A RUSH TO LEGALIZATION AS SOON AS THE PARTIES FIND OUT WHERE THE "SOFT WINDOW " IS LOCATED. STABLER

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